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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/495,710

Applicant(s)

Andres Sommer

Examiner

Pamela R. Hobden

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 01 February 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

2. Claims 1,2,4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Ivan et al (US 6,031,888). Ivan discloses a computed tomography apparatus comprising a gantry (figure 1) having a measuring opening, an x-ray source (32) mounted in the gantry having a focus (22) from which radiation is emitted, at least the focus rotating around the measuring opening for irradiating an examination subject from different directions, a detector (14) disposed in the opening for obtaining projection datasets corresponding to radiation incident on the detector as the focus rotates around the measuring opening, a support table (28) having a support plate (26), adapted to receive an examination subject thereon, and a carrier, the support plate being non-displaceably mounted cantilevered to the carrier, and a mechanism for moving the gantry independently of the support table, including movement of the gantry into a use position wherein the support plate extends through the measuring opening (figure 1).

Regarding claims 2, 4: The CT apparatus's carrier has a floor stand (24), stand, and a movable support table (28)

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Regarding claim 5: the computed tomography apparatus includes a support table that has a longitudinal axis and the gantry has a system axis, and wherein the support table is positionable relative to the gantry so that the longitudinal axis and the system axis, when projected into a horizontal plane, intersect when the gantry is in the use position; (Figure 1)

Regarding claim 6, Ivan et al discloses a CT system wherein the gantry has a system axis and further comprises a motor drive for moving the gantry along the system axis to allow scanning of a volume of an examination subject adapted to be received on the support plate in the measuring volume (Figure 1);

Regarding claim 7: the mechanism comprises rails along which the gantry is moveable (Figure 7).

3. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Barth et al (US 6,125,163). Barth discloses a computed tomography apparatus comprising a gantry (figure 7) having a measuring opening, an x-ray source (figure 7) mounted in the gantry having a focus (1) from which radiation is emitted, at least the focus rotating around the measuring opening for irradiating an examination subject from different directions, a detector (4) disposed in the opening for obtaining projection datasets corresponding to radiation incident on the detector as the focus rotates around the measuring opening, a support table (8) having a support plate (Column 5 lines 15-20), adapted to receive an examination subject thereon, and a carrier, the support plate being non-displaceably mounted cantilevered to the carrier, and a mechanism for moving the gantry independently of the support table, including movement of the gantry

into a use position wherein the support plate extends through the measuring opening (figure 7), the carrier comprising a ceiling stand.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Pamela R. Hobden whose telephone number is (703)-306-5435. The examiner can normally be reached on Monday-Thursday 8:30-6:00, Alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim can be reached on (703)-305-3492. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-308-7382 for regular communications and (703)-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-308-0956.

prh
September 29, 2001

AK
ROBERT H. KIM
PERMISSORY PATENT EXAMINER
TECHNOLOGY CENTER